

****Please be advised that the use of these forms may not be proper for your specific legal situation****
****Please make an independent determination whether use of these forms is appropriate****

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA

Eric Smith
~~Pelican Rapids Police~~
~~Department and~~
~~Brenda Flink-Saric~~

(Enter full name of each Plaintiff, above)

vs.

Pelican Rapids Police
Department and
Brenda Flink-Saric

(Enter full name of each Defendant, above)

Civil Case No. _____
(To be assigned by Clerk of Court)

§ JURY TRIAL DEMANDED ☒ Yes ☐ No
§ (Check one)
§
§
§
§
§

COMPLAINT

I. **JURISDICTION.** State the grounds for filing this case in Federal Court (include federal statutes or U.S. Constitutional provisions).

divergity, 7th and 14th
amendment
due process - substantive
due process violations
9th Amendment
right to travel.

SAMPLE COMPLAINT

II. PLAINTIFF. For each Plaintiff list: name and address including City, County and State.

Fargo, ND, Cass - General delivery

III. DEFENDANT. For each Defendant list: name and address including City, County and State.

Brenda Flink-Sarić
220 SW 10th St Pelican Rapids, MN 56572

Pelican Rapids Police Department
315 N Broadway, Pelican Rapids
MN 56572

IV. CLAIM. State the facts of your claim. Include the name of each person involved, dates and places. Be as specific as possible. Do not give any legal argument or cite any cases or statutes. Use additional sheets of paper if necessary.

See Attached

V. ADMINISTRATIVE PROCEDURES. If applicable, state whether your claim was heard by any administrative agencies; the type of proceedings; the date and place of any proceedings; the outcome of any administrative proceedings.

See Attached

VI. RELIEF. State what you want the Court to do for you.

I ssue emergency injunction
 Against defendant and also to
 prevent the defendant from illegally
 executing any trespass against
 Plaintiff preventing any illegal arrest
 that would take place if no injunction
 were to issue- Violating Plaintiff's
 rights.

VII. SIGNATURE. Each Plaintiff must individually sign this complaint.Signed this 10th day of February, 2020

Eric Smith
 Signature of Plaintiff

Eric Smith
 Printed Name of Plaintiff

General delivery
 Mailing Address

Fargo, ND 58102
 City, State, Zip Code

701-354-8072
 Telephone Number of Plaintiff

 Signature of Plaintiff

 Printed Name of Plaintiff

 Mailing Address

 City, State, Zip Code

[Signature]

 Telephone Number of Plaintiff

IN FEDERAL DISTRICT COURT
STATE OF NORTH DAKOTA

ERIC SMITH)CASE #
Plaintiff)
)COMPLAINT
V.)
)
BRENDA FLINK - SARIC)
PELICAN RAPIDS POLICE <i>Department</i>)
Defendant)

1. Here comes the Plaintiff to state the following. On the 09th of February, 2020 the Plaintiff was served with a illegal trespass notice by the Pelican Rapids Police Department. It was Brenda Flink-Saric that signed off on the trespass order issued by the Pelican Rapids Police Department. Brenda is neither related nor does she permanently reside at the place that is listed on the order given by the Pelican Rapids Police Department.
2. Tom Gable is the owner of the listed property and has stated that there is no issue with the Plaintiff and himself. Tom Gable did furthermore, Not make a statement of such nor did Tom Gable sign any paperwork showing proof of to the contrary. Plaintiff seeks 1 dollar plus up to 80 Thousand in punitive damages or as the Court may see fit.
3. This violates the 14th amendment and 7th amendment of dues process. It also violates the 5th amendment of the right to travel. The residence of Tom Gable is on a public road that leads back to the house itself. Tom Gable never signed any paperwork nor did he approve of the trespass. Plaintiff prays for relief and emergency injunctive relief.

Minnesota state statute also requires the owner to sign on a trespass notice for it to be valid. **609.605 TRESPASS.**

4. (4) "Owner or lawful possessor," as used in paragraph (b), clause (9),

IN FEDERAL DISTRICT COURT
STATE OF NORTH DAKOTA

ERIC SMITH)CASE #
Plaintiff)
)COMPLAINT
V.)
)
BRENDA FLINK - SARIC)
PELICAN RAPIDS POLICE)
Defendant)

1. Here comes the Plaintiff to state the following. On the 09th of February, 2020 the Plaintiff was served with a illegal trespass notice by the Pelican Rapids Police Department. It was Brenda Flink-Saric that signed off on the trespass order issued by the Pelican Rapids Police Department. Brenda is neither related nor does she permanently reside at the place that is listed on the order given by the Pelican Rapids Police Department.
2. Tom Gable is the owner of the listed property and has stated that there is no issue with the Plaintiff and himself. Tom Gable did furthermore, Not make a statement of such nor did Tom Gable sign any paperwork showing proof of to the contrary. Plaintiff seeks 1 dollar plus up to 80 Thousand in punitive damages or as the Court may see fit.
3. This violates the 14th amendment and 7th amendment of dues process. It also violates the 5th amendment of the right to travel. The residence of Tom Gable is on a public road that leads back to the house itself. Tom Gable never signed any paperwork nor did he approve of the trespass. Plaintiff prays for relief and emergency injunctive relief.

Minnesota state statute also requires the owner to sign on a trespass notice for it to be valid. **609.605 TRESPASS.**

4. (4) "Owner or lawful possessor," as used in paragraph (b), clause (9),